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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,728	10/23/2000	Donovan Wallace	1400.4100353	9880

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EXAMINER	
TRAN, QUOC DUC	

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/694,728	WALLACE ET AL.	
	Examiner	Art Unit	
	Quoc D. Tran	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-23 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-23 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-3, 6-7, 12-13, 18-20 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Posthuma (6,496,566).

Consider claim 1, Posthuma teaches a multi-services access platform, comprising: a chassis that includes: a predetermined number of card slots, wherein each of the card slots includes input/output ports (col. 1 lines 38-51); and a backplane that includes a metallic test access bus (col. 4 lines 5-6), wherein the metallic test access bus is operable to selectively couple to an input/output port of at least one of the card slots to provide at least one metallic test path (col. 3 line 66 – col. 4 line 9).

Consider claim 2, Posthuma teaches wherein a first portion of the metallic test access bus is operable to selectively couple to an input/output port of a first card slot to provide a first metallic test path and a second portion of the metallic test access bus is operable to couple to an input/output port of a second card slot to provide a second metallic test path (col. 2 lines 55-61; col. 3 lines 48-60; col. 4 lines 1-9).

Consider claim 3, Posthuma teaches wherein selective coupling is accomplished using relays (col. 4 line 1).

Consider claim 6, Posthuma teaches wherein the metallic test access bus includes a control portion (col. 4 lines 11-16) and a stimulus portion (col. 4 lines 20-26), wherein the control portion is operable to select to which of the card slots the metallic test access bus is coupled, wherein the stimulus portion is operable to convey stimulus to input/output ports to which the metallic test access bus is coupled (col. 4 lines 10-30).

Consider claim 7, Posthuma teaches wherein the control portion of the metallic test access bus includes a serial data communication link (Fig. 3).

Consider claim 12, Posthuma teaches the system further comprises a first line card operably coupled to a first card slot of the predetermined number of card slots, wherein the metallic test access bus is operable to selectively couple to at least one of: an input/output port of the first card slot and an input/output port of the first line card (col. 1 lines 38-51).

Consider claim 13, Posthuma teaches the system further comprises a test controller within the chassis and operably coupled to the metallic test access bus (Fig. 3).

Consider claim 18, Posthuma teaches a method for performing metallic test access testing, comprising: issuing control signals on a metallic test access bus included in a backplane

of a chassis that includes a predetermined number of card slots (col. 4 lines 10-12), wherein each of the predetermined number of card slots has input/output ports, wherein the control signals operate to selectively couple the metallic test access bus to an input/output port of a first card slot to provide a first metallic test path (col. 4 lines 10-17); applying stimulus on the first metallic test path to produce a first response; and measuring the first response (col. 4 lines 40-58).

Consider claim 19, Posthuma teaches wherein issuing the control signals configures relays such that the metallic test access bus is selectively coupled to the input/output port of the first card slot (col. 4 lines 10-17).

Consider claim 20, Posthuma teaches wherein the control signals operate to selectively couple the metallic test access bus to the input/output port of the first card slot to provide the first metallic test path and further operate to selectively couple the metallic test access bus to an input/output port of a second card slot to provide a second metallic test path (col. 2 lines 55-61; col. 3 lines 48-60; col. 4 lines 1-9), wherein applying stimulus includes applying first stimulus on the first metallic test path to produce the first response and applying second stimulus on the second metallic test path to produce a second response, wherein measuring includes measuring the first and second responses (col. 4 lines 20-51).

Consider claim 23, Posthuma teaches wherein the control signals are issued over a control portion of the metallic test access bus and the stimulus is applied over a stimulus portion of the metallic test access bus (col. 4 lines 10-51).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 4-5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Posthuma (6,496,566) in view of Wachel (6,675,254).

Consider claim 4, Posthuma did not suggest wherein the chassis further comprises a connector operably coupled to the backplane, wherein the connector provides access to the metallic test access bus from external to the chassis. However, Wachel suggested such (Fig. 3). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Wachel into view of Posthuma in order to provide connectivity.

Consider claim 5, as suggested above, Posthuma teaches the system further comprises a test controller operably coupled to the connector, wherein the test controller is operable to provide stimulus over the at least one metallic test path (col. 4 lines 10-51).

Consider claim 14, Posthuma did not specifically suggest wherein the predetermined number of card slots is at least 12 card slots. However, Wachel suggested such (Fig. 1). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Wachel into view of Posthuma in order to increase circuit density of the rack.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Posthuma (6,496,566) in view of Huang (6,289,293).

Consider claim 17, Posthuma did not suggest wherein each of the card slots includes at least 64 input/output ports. However, Huang suggested such (col. 1 lines 18-25). Therefore, it

would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Huang into view of Posthuma provide detail structure of the line card.

6. Claims 8-9 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Posthuma (6,496,566) in view of Applicant admitted prior art.

Consider claim 8, Posthuma did not clearly suggest wherein the stimulus portion of the metallic test access bus includes at least six conductor pairs. However, AAPA suggested such (page 9 lines 6-12). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to acknowledge that the numbers of conductor pairs are based on the standard configuration of the particular system.

Consider claim 9, Posthuma did not clearly suggest wherein the stimulus portion of the metallic test access bus includes at least eight conductor pairs. However, AAPA suggested such (page 9 lines 6-12). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to acknowledge that the numbers of conductor pairs are based on the standard configuration of the particular system.

Consider claim 15, Chong did not clearly suggest wherein dimensions of the chassis are each within three inches of standard dimensions. However, AAPA suggested such (page 6 line 14 – page 7 line 6). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to recognize that a particular chassis must be within certain dimension in order to comply with the standard requirement.

Consider claim 16, Chong did not suggest wherein dimensions of the chassis are not greater than approximately 18 inches wide, 22 inches tall, and 12 inches deep. However, AAPA

suggested such (page 6 line 14 – page 7 line 6). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to recognize that a particular chassis must be within certain dimension in order to comply with the standard requirement.

7. Claims 10-11 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Posthuma (6,496,566) in view of Latu et al (6,757,386).

Consider claim 10, Posthuma did not clearly suggest wherein the stimulus conveyed includes at least one of a Safety Extra Low Voltage (SELV) rated stimulus and a Telecom Network Voltage (TNV) rated stimulus. However, Latu et al suggested such (col. 5 line 26 – col. 6 line 19). Therefore, it would is obvious to one of the ordinary at the time the invention was made to recognize such test signals are need in order prevent damage to sensitive circuits.

Consider claim 11, as suggested above, Posthuma teaches wherein in a first configuration the metallic test access bus is operable to couple to an input/output port of a first card slot and an input/output port of a second card slot, wherein the metallic test access bus is operable to convey the SELV rated stimulus to the input/output port of the first card slot and to convey the TNV rated stimulus to the input/output port of the second card slot (col. 2 lines 55-61; col. 3 lines 48-60; col. 4 lines 1-9).

Consider claim 21, Posthuma did not suggest wherein the first stimulus is a Safety Extra Low Voltage (SELV) rated stimulus and the second stimulus is a Telecom Network Voltage (TNV) rated stimulus. However, Latu et al suggested such (col. 5 line 26 – col. 6 line 19). Therefore, it would is obvious to one of the ordinary at the time the invention was made to recognize such test signals are need in order prevent damage to sensitive circuits.

Consider claim 22, Posthuma did not suggest wherein the stimulus is one of a Safety Extra Low Voltage (SELV) stimulus and a Telecom Network Voltage (TNV) stimulus. However, Latu et al suggested such (col. 5 line 26 – col. 6 line 19). Therefore, it would is obvious to one of the ordinary at the time the invention was made to recognize such test signals are need in order prevent damage to sensitive circuits.

Response to Arguments

8. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any response to this action should be mailed to:

Mail Stop ____(explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:
(703) 872-9306

Hand-delivered responses should be brought to:
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and SATURDAY from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

QUOC TRAN
PRIMARY EXAMINER

AU 2643
April 29, 2005